

McCook City Council
January 15, 2024
5:30 P.M. Central

A MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF MCCOOK, NEBRASKA convened in open, regular, and public session at 5:30 o'clock P.M. in the City Council Chambers.

Present: Mayor Taylor, Councilmembers Calvin, Weedon, Muehlenkamp, Rambali.

Absent: None.

City Officials present: City Manager Schneider, City Attorney Mustion, City Clerk Doak, Assistant City Manager Koetter, Utilities Director Fawver, Fire Chief Harpham, Police Chief Hodgson, Public Works Director Potthoff, and Senior Services Director Siegfried.

Notice of the meeting was given in advance thereof by publication in the McCook Daily Gazette on January 11, 2024, the designated method of giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the Mayor and members of the City Council and a copy of the Acknowledgement of Receipt of such notice is attached to these minutes. Availability of the agenda was communicated in the advance notice to the Mayor and Council. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Mayor Taylor announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review. Invocation was provided by Councilmember Weedon. Following the Pledge of Allegiance to the flag of the United States of America, Mayor Taylor called the meeting to order.

1. Announcements & Recognitions.

There were no announcements or recognitions.

2. Presentation.

2.A. Accept the Financial Statements and Supplemental Information for Fiscal Year ending September 30, 2023 prepared by AMGL CPA's and Advisors.

Via Zoom, Marcy Luth of AMGL presented the Financial Statements to the Council for the Fiscal Year ending September 30, 2023 and answered questions from the Council. Ms. Luth noted that it is an unqualified report in their opinion, the financial statements of the City present fairly in all material aspects, the respective financial of the City.

Motion to accept the Financial Statements and Supplemental Information for Fiscal Year ending September 30, 2023 prepared by AMGL CPA's and Advisors. This motion, made by Calvin and

seconded by Weedin, passed.

Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

3. Consent Agenda.

Motion to approve the consent agenda. This motion, made by Weedin and seconded by Muehlenkamp, passed.

Taylor: YEA, Calvin: YEA, Weedin: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

- 3.A. Approve the minutes of the January 2, 2024 regular City Council meeting.
- 3.B. Approve the specifications for the 2024 Armor Coating Project and set the time and date to receive bids as 2:30 P.M. February 6, 2024.
- 3.C. Approve the bid specifications for Ballpark Concessions at Felling Field for the Calendar Years 2024, 2025, and 2026 and set the date to receive bids as February 6, 2024 at 2:00 P.M.
- 3.D. Adopt the Disadvantaged Business Enterprise (DBE) Program for McCook Ben Nelson Regional Airport for the years 2022, 2023, and 2024 and authorize the Mayor to sign.
- 3.E. Receive and file the claims for the month of December 2023, published January 9, 2024.
- 3.F. Forward to the City's insurance carrier for review and appropriate action a property damage claim from Larry Fields.
- 3.G. Set a meeting of the Comprehensive Plan & Zoning Regulations Steering committee for February 20, 2024 at 6:00 P.M.
- 3.H. Approve the plans and specifications for the McCook Business Park Phase II Grading and Paving Project and set the time and date to receive bids as 2:30 P.M. February 6, 2024.
- 3.I. Reject the one bid received for the 2024 Crack Sealing Project and authorize staff to re-advertise the project and receive bids at 2:30 P.M. on January 30, 2024.

4. Regular Agenda.

- 4.A. Update regarding the swimming pool project.

Because of weather, no monthly progress meeting was held, staff had no information to present.

- 4.B. Council Comments.

Mayor Taylor thanked staff for everything they have done to keep the City of McCook going through

the recent snows and very cold temperatures.

- 4.C. An Executive Session may be held upon a majority vote of the Council for the protection of public interest for a strategy session with respect to potential litigation against Manitex International, Inc. regarding equipment purchased by the City of McCook.

Motion to go into executive session for the protection of public interest for a strategy session with respect to potential litigation against Manitex International, Inc. regarding equipment purchased by the City of McCook at 6:00 P.M. This motion, made by Calvin and seconded by Taylor, passed.

Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

Mayor Taylor stated for the record that at this time, pursuant to the Nebraska Open Meetings Act, a closed session will be held for the purpose of the protection of public interest for a strategy session with respect to potential litigation against Manitex International, Inc. regarding equipment purchased by the City of McCook. The Council will reconvene in public session following this closed session.

City Manager Schneider, City Attorney Schneider, Assistant City Manager Koetter, City Clerk Doak, and Public Works Director Potthoff stayed for the executive session.

Motion to come out of executive session at 6:13 P.M. This motion, made by Calvin and seconded by Weedon, passed.

Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

With Council consent, Agenda Item 4.E. was considered at this time.

- 4.E. An Executive Session may be held upon a majority vote of the Council for the protection of public interest for a strategy session with respect to real estate purchase for Sports Complex.

Motion to go into executive session for the protection of public interest for a strategy session with respect to real estate purchase for a Sports Complex at 6:14 P.M. This motion, made by Taylor and seconded by Muehlenkamp, passed.

Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA
YEA: 5, NAY: 0

Mayor Taylor stated for the record that at this time, pursuant to the Nebraska Open Meetings Act, a closed session will be held for the purpose of the protection of public interest for a strategy session with respect to real estate purchase for a Sports Complex. The Council will reconvene in public session following this closed session.

City Manager Schneider, City Attorney Schneider, Assistant City Manager Koetter, City Clerk Doak, and Public Works Director Potthoff stayed for the executive session.

I move to come out of executive session at 6:41 P.M. This motion, made by Calvin and seconded

by Muehlenkamp, passed.

Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA

YEA: 5, NAY: 0

4.D. An Executive Session may be held upon a majority vote of the Council for the protection of public interest for a strategy session with respect to potential litigation - property located at 1111 East "H" Street, Cindy and Ron Sabin.

Motion to go into executive session for the protection of public interest for a strategy session with respect to potential litigation - property located at 1111 East "H" Street, Cindy and Ron Sabin at 6:42 P.M. This motion, made by Taylor and seconded by Weedon, passed.

Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA

YEA: 5, NAY: 0

Mayor Taylor stated for the record that at this time, pursuant to the Nebraska Open Meetings Act, a closed session will be held for the purpose of the protection of public interest for a strategy session with respect to potential litigation - property located 1111 East "H" Street, Cindy and Ron Sabin. The Council will reconvene in public session following this closed session.

City Manager Schneider, City Attorney Schneider, Assistant City Manager Koetter, and City Clerk Doak stayed for the executive session.

Motion to come out of executive session at 6:44 P.M. This motion, made by Calvin and seconded by Weedon, passed.

Taylor: YEA, Calvin: YEA, Weedon: YEA, Muehlenkamp: YEA, Rambali: YEA

YEA: 5, NAY: 0

Adjournment.

There being no further business to come before the Council, Mayor Taylor declared the meeting adjourned at 6:45 P.M.

Linda Taylor, Ex-officio Mayor
and Council President

ATTEST:

Lea Ann Doak, City Clerk-Treasurer